

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-053747

02/11/2010

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT
M. MINKOW/A. Ocanas
Deputy

IN RE THE MATTER OF
JIMMY R LOPEZ

GENE R STRATFORD

AND

LAURA E BATTAGLIA

LYNN M PEARLSTEIN

MINUTE ENTRY

Prior to the commencement of the hearing, Respondent's exhibits 1 through 9 and Petitioner's exhibits 10 through 13 are marked for identification.

4:32 p.m. Courtroom 108. This is the time set for Resolution Management Conference and Temporary Orders Evidentiary Hearing. Petitioner/Father is present and represented by above-named counsel. Respondent/Mother is present and represented by above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Respondent's exhibit 9 is received in evidence.

Jimmy Lopez, Laura Battaglia, Christine Lorentz, Julie Schmidall, Patricia Ferreira, Wendi Ferreira, Michelle Cappellini, and Megan Jacobson are sworn.

The Court is advised that the parties have reached an agreement which is set forth on the record as follows:

The parenting time supervision requirement is withdrawn. Mother's parenting time shall be unsupervised and Sawyer's name shall be removed from the Order of Protection.

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Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is fair, reasonable, and in the best interests of the parties' minor child.

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Family Court Rule 69.

Accordingly,

THE COURT FINDS it appropriate that the Order of Protection issued on November 12, 2009, and the Amended Order of Protection issued on January 22, 2010, be modified as stated on the record in open court and reflected in the Amended Order of Protection signed by the Court this date.

IT IS ORDERED approving and settling formal written Amended Order of Protection signed by the Court this date and filed herein.

ISSUED: Hearing Order, Amended Order of Protection, and Acceptance of Service

LET THE RECORD REFLECT that Defendant signs an Acceptance of Service Form.

LET THE RECORD FURTHER REFLECT that the parties receive copies of the Hearing Order, Amended Order of Protection, and Acceptance of Service.

Laura Battaglia testifies further.

Jimmy Lopez testifies.

The Court makes A.R.S. § 25-403(A) findings on the record.

Based on the testimony and evidence presented,

IT IS ORDERED that the parties shall exercise parenting time utilizing a 2-3-3-2 parenting plan as follows:

Effective this date, Father shall have the minor child Thursday and Friday until Saturday at 8:00 a.m. Mother shall have parenting time from Saturday at 8:00 a.m. until Tuesday at 8:00

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a.m., then with Father from Tuesday at 8:00 a.m. until Friday at 8:00 a.m. All exchanges shall occur at 8:00 a.m. This parenting time shall continually repeat.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			F	F	M	M
M	F	F	F	M	M	

IT IS FURTHER ORDERED that, due to the Order of Protection currently in place, the parties shall utilize a third party that the parties deem appropriate to exchange the minor child for the parties' parenting time. Parenting time exchanges shall take place at a neutral location at 8:00 a.m.

IT IS FURTHER ORDERED that the Court shall appoint a Parenting Coordinator in this matter. The parties shall confer to agree upon a Parenting Coordinator. If the parties are unable to agree upon a Parenting Coordinator then the parties shall submit two names each to the Court no later than February 18, 2010 and the Court will rule thereafter. The Parenting Coordinator's first goal will be to establish a protocol for exchanges of the child and a protocol for decision as there will be a joint custodial order in place. The cost of said appointment shall be split 50/50 subject to reallocation at the time of trial.

IT IS FURTHER ORDERED that should either party bring an issue to the Parenting Coordinator unreasonably or takes an unreasonable position with the Parenting Coordinator then he/she may make a recommendation to the Court that those costs be allocated to the unreasonable party.

With respect to child support,

IT IS ORDERED that child support shall be calculated at the time of trial.

IT IS FURTHER ORDERED that each party shall provide the Court, and provide the other party a copy of, an Affidavit of Financial Information and any additional supporting financial information no later than February 26, 2010.

IT IS FURTHER ORDERED that the Court shall set a hearing in the event the parties are unable to agree upon temporary child support.

IT IS FURTHER ORDERED that neither parent engage each other through third parties with any kind of negative communications. The parties shall only communicate regarding the

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emotional, physical or moral welfare of the minor child as contained in the Order of Protection. The parties shall direct family members on both sides to abide by the same order.

IT IS FURTHER ORDERED that Mother shall provide to Father enough breast milk for the minor child during Father's parenting time.

There being no further need to retain the exhibits currently in the custody of the division clerk,

IT IS ORDERED that the Clerk permanently release those exhibits not offered or received in evidence to the counsel/party causing them to be marked, or to a written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form (2)

5:33 p.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

THE HONORABLE MICHAEL D. GORDON
JUDGE OF THE SUPERIOR COURT

FILED: Exhibit Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.